

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**GORDON D. CHRISTOFFERSEN, Individually and
on Behalf of All Others Similarly Situated,**

Plaintiff,

v.

Case No. 19-CV-1481

V. MARCHESE, INC.,

Defendant.

PRELIMINARY APPROVAL ORDER

This matter coming before the Court on the Parties' request for preliminary approval of a Class Action Settlement Agreement between Class Representative Gordon Christoffersen and Class Counsel with Defendant V. Marchese, Inc. ("V. Marchese" or "Defendant"), and notice to the Class, the Court being fully advised in the premises,

IT IS HEREBY ORDERED:

1. The Court finds that the Agreement, the terms of which are fully set forth in the Settlement Agreement, is within the range of fairness and reasonableness and grants preliminary approval to it.

2. For the purposes of settlement, the Parties stipulate to the certification of the class ("Class") defined as follows:

(a) All employees of V. Marchese, Inc., (b) whose employment was voluntarily or involuntarily terminated from January 1, 2014 through September 15, 2019, (c) who may have been covered by a group health plan provided by V. Marchese, Inc. at the time of termination of employment from V. Marchese, Inc. and (d) all beneficiaries who may have been covered under such health plan by or through a participant's employment with V. Marchese.

Based on their records, Defendant estimates that the Class described above includes approximately 260 current and former employees of V. Marchese and their respective beneficiaries. Gordon Christoffersen is appointed as Class Representative, and Ben J. Slatky and Jesse Fruchter of Ademi LLP are appointed as class counsel.

3. A Final Approval hearing on the fairness and reasonableness of the Agreement and whether the final approval shall be given to it and the requests for fees and expenses by counsel for the Class will be held before this Court on **November 30, 2021, at 10:00 a.m.**, in Courtroom 253 of the United States Courthouse, 517 East Wisconsin Avenue, Milwaukee, Wisconsin 53202.

4. The Court approves the proposed form of notice to each Class member, to be directed to the last known address of the Class members with address forwarding services requested. Defendant will mail, or cause to be mailed, either itself or through its claims administrator, notice to Class members on or before **September 2, 2021**. Defendant, through its claims administrator, will have the notice sent by any form of U.S. Mail after updating the addresses by means of a NCOA address database search and with address forwarding services requested. No skip-tracing shall be required or done as to any Class Notices that are returned by the postal service as undeliverable and with no forwarding address. Defendant, through its claims administrator, First Class Inc. will also cause the settlement checks to be distributed.

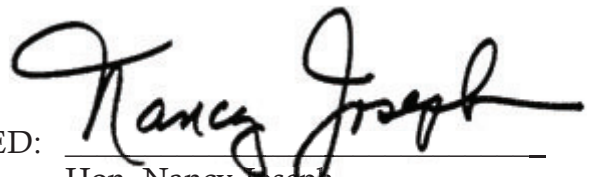
5. The Court finds that mailing of class notice is the only notice required and that such notice satisfies the requirements of due process and Fed. R. Civ. P. 23(c)(2)(B).

6. Class members shall have until 45 days from the date notice is mailed to them to request exclusion (opt out) or object to the proposed settlement.

a. Any Class member who desires to exclude him or herself from the action must send his or her written request for exclusion in writing to the Defendant or to its chosen Class Administrator, postmarked by that date.

b. Any Class members who wish to object to the settlement must submit an objection in writing to the Clerk of the United States District Court for the Eastern District of Wisconsin, Milwaukee Division and serve copies of the objection on counsel for both Plaintiff and Defendant by that date. Any objection must include the name and number of the case and a statement of the reason why the objector believes that the Court should find that proposed settlement is not in the best interests of the Class. Objectors who have filed written objections to the settlement must also appear at the Final Approval hearing and be heard on the fairness of a settlement.

ENTERED:

A handwritten signature in black ink, appearing to read "Nancy Joseph", written over a horizontal line.

Hon. Nancy Joseph
U.S. Magistrate Judge

DATE: August 3, 2021